



Winnebago County *Chapter 21*

The Airport Ordinance

Adopted 5/16/65
Revised 11/15/16

**WINNEBAGO COUNTY
THE AIRPORT ORDINANCE CHAPTER 21,
WINNEBAGO COUNTY GENERAL CODE**

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AIRPORT

21.01 DISCRIMINATION PROHIBITED.

- (1) STATE SECRETARY OF TRANSPORTATION, BUREAU OF AERONAUTICS, ACTION RATIFIED.** The County ratified the action of the State Secretary of Transportation, Bureau of Aeronautics, in executing the assurances required by Title 49 of the Civil Rights Act of 1964, and by Part 21 of the Federal Aviation Regulations.
- (2) ASSURANCES.** The assurances referred to above are as follows:
 - (a) Nondiscrimination in Federally Assisted Programs of the FAA:** In order to furnish the assurances required by Title VI of the Civil Rights Act of 1964, and by Part 15 of the Federal Aviation Regulations, as amended, the County (hereafter called the "Sponsor") hereby covenants and agrees with the United States (hereafter called the "Government") as follows:
 - 1.** The Sponsor in the operation and use of the Winnebago County Airport will not, on the grounds of race, color or national origin, discriminate or permit discrimination against any person or group of persons in any manner prohibited by Part 15 of the Federal Aviation Regulations.
 - 2.** The Sponsor will include, or require the inclusion of, the foregoing covenant in every agreement or concession pursuant to which any person or persons, other than the Sponsor, operates or has the right to operate any facility on the Airport providing services to the public, and a provision granting the Sponsor the right to take such action as the Government may direct to enforce such covenant.
 - (b) Noncompliance:** Noncompliance with the above assurances shall constitute a material breach; and in the event of such noncompliance, the Government may take appropriate action to enforce compliance, may terminate the Grant Agreement to which the covenant relates or seek judicial enforcement.
- (3) TERM OF AGREEMENT.** The covenant shall become effective upon execution and shall constitute part of the Grant Agreement to which it relates and shall remain in full force and effect so long as the airport covered by such agreement continues to be used and operated as a public airport.

21.02 CAR AND TRUCK; LIMOUSINE AND TAXI REGULATIONS.

- (1) No person shall carry on, conduct, or engage in the business of renting "drive it yourself" cars or trucks, the pick up or delivery of passengers, or baggage including advertising and soliciting of customers on the property of Wittman Field Airport except:**
 - (a)** Pursuant to the terms of a written contract entered into with the County.

- (b) Where an airline passenger or other person arriving at Wittman Regional Airport has placed on order for the hire or rental of a car, truck, taxi, or limousine with a person not having a contract with the County, such customer may be met at Wittman Regional Airport by such person or a representative and the car or truck delivered to the customer, or the pick up or delivery of the customer; but only in areas designated by the Airport Director for such purposes.

21.03 VEHICULAR AND PEDESTRIAN TRAFFIC REGULATIONS.

(1) DEFINITIONS.

- (a) Air Operations Area (A.O.A.) - That portion of the Airport designated by the Airport Director for the purpose of landing, taxiing, and parking aircraft.
- (b) Emergency Equipment - Emergency equipment includes ambulances, crash rescue and fire fighting apparatus, and such other equipment as the Airport Director may designate as necessary to safeguard airport runways, taxiways, ramps, buildings, and other airport property.
- (c) Pedestrian - any person afoot.
- (d) Service, Maintenance and Construction Equipment - Equipment normally operated by the County or the Federal Aviation Agency on landing areas, runways, taxiways and peripheral roads for the servicing, maintenance and construction of airport facilities and services. This definition shall include equipment owned and operated by a contractor performing work on the airport under a contractual agreement with the County.
- (e) Snowmobile - An engine-driven vehicle of a type which utilizes sled type runners or skis or an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated.
- (f) Vehicle - Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, except railroad trains.

(2) OPERATION OF VEHICLES AND SNOWMOBILES ON RUNWAYS, TAXIWAYS, RAMPS, AND OTHER AIRPORT PROPERTY.

- (a) No privately-owned vehicle or snowmobile shall enter, be driven upon or operated upon any Airport runway, taxiway, ramp, tie-down area or any area posted by signs prohibiting the entrance or operation thereon.
- (b) The provisions of this section shall not apply to emergency equipment and/or service, maintenance, and construction equipment when engaged in performing official duties.

(3) PEDESTRIAN TRAFFIC. No pedestrian shall be allowed beyond the terminal area or the apron or aircraft tie-down area unless for the purpose of embarking in or disembarking from an aircraft or unless authorized by the Airport Director. Pedestrian traffic is prohibited in the runway and outlying area of the Airport except for those employees of the County, State, and Federal Government or contract engaged in Airport construction or maintenance work.



- (4) CAMPING PROHIBITED.** No camping shall be allowed upon Airport property except in those areas designated by the Airport Director or his designee.
- (5) SMOKING AND ALCOHOLIC BEVERAGES.**
 - (a) SMOKING.** All smoking shall be prohibited at Wittman Regional Airport except for those areas of the Wittman Regional Airport designated as smoking areas by signs erected in such areas by the Airport Director or his designee.
 - (b) ALCOHOLIC BEVERAGES.** The use of alcoholic beverages and the carrying of open intoxicants shall be prohibited at Wittman Regional Airport except in those areas within the terminal building or other area wherein the Airport Director or his designee has specifically designated that such usage is allowable.
- (6) OPERATION OF MOTORCYCLES AND BICYCLES.** No motorcycles or bicycles shall be operated within the Air Operations Area except as authorized by the Airport Director or his designee.
- (7) ENFORCEMENT.**
 - (a)** The Airport Director and the County Sheriff's Department shall enforce the provisions of this section.
 - (b) PENALTIES.** For all violations of this section, persons shall, upon conviction, forfeit to the County not less than \$10.00 nor more than \$200.00 together with the costs of the action to collect such forfeiture in the County Jail for a period of not more than thirty (30) days.

21.04 PUBLIC PARKING

- (1) GENERALLY.** No person shall park or leave standing any vehicle, whether occupied or not, on the premises of Wittman Regional Airport except within designated parking areas and then only in accordance with the regulations governing the use of such areas.
- (2) PARKING AND RESTRICTED AREAS DESIGNATED.** The Airport Director shall cause the erection and maintenance of signs designating all general and reserved loading zones, reserved parking areas and public parking areas, including but not limited to those designated for the exclusive use of the car rental companies operating from the Airport, and "No Parking" areas on and along the drives, roadways and in such other areas on the Airport property as may be deemed necessary by the Airport Director for the safe, efficient and convenient operation of such Airport.
- (3) PUBLIC PARKING LOT.** Operators of motor vehicles making use of the public parking lot at Wittman Regional Airport shall observe and comply with regulatory and directional traffic signs for entry upon and departure from and shall pay the posted charges for the right and privilege of parking therein.
- (4) LOADING ZONES.** No vehicle shall be parked within the designated loading zones in front of the Terminal Building for a period greater than five minutes.
- (5) VIOLATIONS.** No person shall:

- (a) Park any vehicle in such manner so as to cause a hazard or in any way be an obstruction to vehicular or other traffic.
 - (b) Park in any areas designated and marked for the parking of taxicabs, limousines or automobiles offered for hire to the public or any other restricted areas of the Airport so designated by signs or markings.
 - (c) Tamper with, deface, break, destroy or impair the usefulness of any equipment installed for the regulation of public parking at Wittman Regional Airport.
 - (d) Park a vehicle in a non-leased parking lot area for a period of time which exceeds 28 consecutive days.
 - (e) Violate any provisions of this chapter.
- (6) POLICING AND ENFORCEMENT.** Officers of the Winnebago County Sheriff's Department and the Oshkosh Police Department are authorized to issue a summons for parking and other violations at Wittman Regional Airport.
- (7) AUTHORIZATION TO MOVE VEHICLES.**
- (a) Any vehicle parked in areas of the public parking lot assigned for the exclusive use of the car rental companies and so indicated by signs, may be removed or caused to be removed by the Airport Director to the unlimited parking section of the public parking lot.
 - (b) The Airport Director may also remove or cause to be removed from any other area on the Airport any vehicle which is illegally parked, disabled or abandoned or which creates an operational problem to any other area on the Airport.
 - (c) Any such vehicle shall be released to the owner or operator thereof upon proper identification of the person claiming it and payment of towing and storage charges and where such vehicle has been moved to the unlimited section of the public parking lot, the payment of the accrued parking fees thereon.
 - (d) The County shall not be liable for damage to the vehicle which might result from the act of removal.
- (8) PENALTIES.**
- (a) Stipulations for Parking Violations. Persons to whom a summons has been issued to appear at the office of the County Sheriff, Oshkosh, Wisconsin, for violating the provisions of this section, may, within 72 hours after 6:00 p.m. on the day of the violation, appear at the Sheriff's Office and enter into a stipulation with the County as provided in [§ 345.11](#), Wis Stats. The violator may stipulate by making the statements and meeting the requirements as follows:
 - 1. That the facts of the violation are true.

2. That he pleads to the violation by entering a plea of guilty or nolo contendere.
3. That the plea which he makes is reduced to writing on the stipulation.
4. The violator shall then sign the stipulation, print his name, post office address, his operator's license number and date of birth on the stipulation.
5. The violator shall pay to the Sheriff \$5.00 for violation of any provision of this section except violations of (4), in which case the amount to be paid shall be \$2.00, and shall further stipulate that the sum paid shall be forfeited to the County upon expiration of 72 hours after 6:00 p.m. of the day of the violation.
6. Such forfeited money shall be remitted by the Sheriff to the County Treasurer. The violator need not appear in court and no witness fees or additional costs shall be taxed.

(b) Penalties Where No Stipulation.

1. Parking violations. Persons violating this section who do not timely enter into the stipulation as provided above shall be subject to a forfeiture not to exceed \$10 for each violation together with the costs of the action to collect such forfeiture and upon default thereof shall be imprisoned in the County Jail for a period not to exceed five days.
2. All other violations. For all other violations of this section, persons shall, upon conviction, forfeit to the County not less than \$10 nor more than \$200 together with the costs of the action to collect such forfeiture and upon default of payment, such persons shall be imprisoned in the County Jail for a period of not more than thirty days.

21.05 RATES AND CHARGES.

- (1) **PURPOSE.** The purpose of this section is to establish fair and reasonable rates and charges for facilities, land and services provided for all public and private users of Wittman Regional Airport. Alternative fees to this schedule may be negotiated in specific circumstances for good cause upon the approval of the Aviation Committee of the County Board of Supervisors.
- (2) **LANDING FEES AND OVERNIGHT PARKING FEES.** All aircraft engaged in a commercial or revenue producing activity shall pay the following landing charges:

(a) Landing Fees: (scheduled air carriers exempt)

	Domestic Fee Per Landing	International Fee Per Landing
	_____	_____
Fee per thousand pounds certified gross landing weight of aircraft	\$ 1.20	\$ 2.40

Scheduled air carriers shall pay a landing fee as described in their airport lease or use agreement. International fee applies only when customs services are required.

(b) Ramp Fee: (airport ramps not leased by others)

Transient Aircraft_	Daily Rate*_
Single Engine	\$ 6.00
Multi-Engine Piston	12.00
Multi-Engine Turbine	36.00
Large Aircraft (in excess of 12,500 lbs MGTW)	240.00

*At least eight (8) hours

(c) Terminal Use: Charter aircraft operators who use terminal common-use area shall pay a fee of \$400.00 per day.

(d) Exceptions. The following aircraft operators shall be exempt from landing fees:

1. All privately owned aircraft not operated for hire.
2. All training flights not carrying commercial passengers or cargo.
3. All commercial aircraft operations which neither enplane nor deplane passengers or freight at Wittman Regional Airport.

(e) Collection of Fees. The Airport Director shall establish procedures for the collection of fees collectible hereunder. Such procedure shall be subject to the approval of the Aviation Committee of the County Board. All collections hereunder shall be turned in to the County Treasurer and credited to the appropriate revenue account.

(f) Enforcement. The Aviation Committee, the Airport Director or his delegated representative shall have the duty and responsibility to enforce the provisions of this subsection.

(3) LAND RENTAL RATES. Land on the premises of Wittman Regional Airport, subject to approved developmental and use criteria, shall be rented at the following rates:

- | | |
|---|--|
| (a) Land for hangars, aprons, Taxiways, tie down areas (less than 100,000 sq. ft.) | Annual Minimum
\$ 640.00 or
\$.16/sq ft/yr |
| (b) Bare land for aeronautical purposes (unimproved land (less than 100,000 sq. ft.) | Annual Minimum
\$ 640.00 or
\$.16/sq ft/yr |
| (c) Bare land for non-aeronautical | Annual Minimum purposes
\$ 825.00 or \$.43/sq ft/yr |

(d) Paved ramps or parking lots Annual Minimum (improved land)
\$ 825.00 or \$.25/sq ft/yr

(e) Land for unrestricted agricultural
As established by a sealed-bid process cultivation purposes

(f) Land for restricted agricultural
As established by a sealed-bid process cultivation purposes

(g) Land restricted to the cultivation
As established by a sealed-bid process of hay only

Owners of private (non-commercial) hangars who are not subject to commercial minimum standards shall be assessed a premium of 30% of the annual land rental rate if they elect to utilize airport sanitary sewer and water facilities.

(4) T-HANGAR RATES. Rates for T-hangar buildings will be assessed as follows:

(a) T-Hangar Buildings A,B,C \$ 155.82/month

(b) T-Hangar Building D \$ 200.34/month

(c) T-Hangar Building E \$ 110.25/month

(d) T-Hangar Building F1 \$159.01/month

(e) T-Hangar Building G, H, F3 \$139.13/month

(f) East Strong Box \$317.21/month

(g) North Strong Box \$328.34/month

(h) M T-Hangars \$183.65/month

(i) 420 Aviation Road (F-2) \$159.01/month

(j) 424 Aviation Road \$128.00/month

(k) 428 Aviation Road \$128.00/month

As the purpose of T-hangars is the storage of aircraft owned by the LESSEE of the hangar, persons who have signed T-hangar leases, and do not have an aircraft registered to them, shall pay a monthly surcharge of \$100.00 in addition to the monthly hangar rental rate. Any LESSEE of a hangar who stores an aircraft not registered to them in a hangar for which they have a signed lease, shall first obtain written permission from the Airport Director.



(5) DISPLAY CASE AND COURTESY TELEPHONE RATES. The following rates shall be charged for display cabinets and courtesy telephone space:

(a) Lobby display case	\$ 25/month	\$ 300/year
(b) Baggage claim area wall cabinet	\$ 15/month	\$ 180/year
(c) Bare floor space for advertising display provided by lessee	\$ 50/month	\$ 600/year
(d) Bare floor space for advertising	\$ 25/month	\$ 300/year
(e) Bare floor space for automobile displays	\$ 30/month	\$ 360/year

(6) FUEL FLOWAGE FEES. All commercial operators authorized to dispense aviation fuels at Wittman Regional Airport will remit to Winnebago County the following fuel flowage fees:

- (a)** A fee of \$0.10 per gallon for all aviation fuels delivered to commercial operators at Wittman Regional Airport.
- (b)** Fuel Flowage Fees and reports, with copies of the fuel delivery bills of lading, shall be remitted by the operator(s) to the County within the first 10 days of the month following fuel deliveries.

(7) General Aviation Tie-Down Fees: (aircraft ramps not leased by others)

<u>Based Aircraft</u>	<u>Monthly Rate</u>
Single Engine	\$ 6.00
Multi-Engine Piston	12.00
Multi-Engine Turbine	36.00
Large Aircraft (in excess of 12,500 lbs MGTW)	240.00

<u>Transient Aircraft</u>	<u>Daily Rate*</u>
Single Engine	\$ 6.00
Multi-Engine Piston	12.00
Multi-Engine Turbine	36.00
Large Aircraft (in excess of 12,500 lbs MGTW)	240.00

*At least eight (8) hours Monthly: \$1,200.00

One day's Tie-Down Fee will be waived with any fuel purchase at Wittman Regional Airport.

- (8) **OTHER RATES AND CHARGES.** All other rates and charges hereunder provided for other facilities and services at Wittman Regional Airport shall be subject to negotiation by the Aviation Committee and the Airport Director based on the marketing ability of the facilities and services offered and set forth in operating agreements and/or lease and agreements, subject to the approval of the County Board of Supervisors.

21.06 **AUTHORITY OF AIRPORT DIRECTOR.** The Airport Director is authorized to make those decisions, which may be momentarily required, within his own discretion, so as to insure the safe operation of Wittman Regional Airport. Such authority shall include, but not be limited to the following powers:

- (a) To immediately restrict a tenant or the tenant's employee from working in the Air Operations Area as a consequence of the violation of Airport rules and regulations, policies or County ordinances by the tenant or the tenant's employee.
- (b) To suspend Airport operations of any airport tenant for cause.
- (c) Violation of the County's minimum standards for Airport Aeronautical Services policy and the Wittman Regional Airport Rules and regulations shall be subject to a fine of not more than \$100 per occurrence and immediate cessation of non-complying activities at Wittman Regional Airport.

21.08 **OFF-SITE RENTAL CAR OPERATIONS SUB. I - DEFINITIONS**

(1) For the purpose of this Section, the following terms shall be defined as follows:

- (a) **Gross Revenues** is the aggregate amount of all revenues, including cash, credit or otherwise received by an operator from all transactions involving the rental of motor vehicles to operators, customers at or from operator's offices and shall include all charges for the month in which a transaction occurs, regardless of when payment therefore is received by operator. Such receipts shall include total rents for the cars, vans or trucks rented out to customers without regard to the manner in which or place at which the transaction occurs and regardless of the station at which vehicles are returned.
 - (b) **Operator** is an off-premises rental car company entering into an agreement with Winnebago County.
 - (c) **Off-Premises Rental Car Company** is a company not leasing space within the premises of Wittman Regional Airport which conducts a business of renting motor vehicles to those persons utilizing Wittman Regional Airport.
1. No person or firm shall conduct a car rental operation on any part of the premises of the airport without having first entered into a valid written agreement with Winnebago County.
 2. Written agreements between Winnebago County and off-premises rental car companies shall specify that the Airport receive 10% of gross revenues derived by the company annually from the rental of automobiles at the Airport.
 3. It shall be unlawful and a violation of this Ordinance for any person to engage in any commercial activity or services on the premises of the airport without first obtaining a lease from Winnebago County.

(2) ENFORCEMENT.

- (a)** The Airport Director and the County Sheriff's Department shall enforce the provisions of this Section.
- (b)** Penalties: For all violations of this Section, a person shall, upon conviction, forfeit to the County not less than \$10.00 nor more than \$200.00 together with any profits realized as a result of their violation of this Ordinance together with the costs of the action to collect such forfeiture and upon default of payment, such person shall be imprisoned in the County Jail for a period of not more than thirty (30) days.

CHAPTER 21 HISTORY INDEX

21.01	Resolution Adopted	3/16/1965
21.02	Resolution adopted	7/08/1958
21.03	Ordinance adopted	2/17/1970
(a)	Amended	2/18/1992
(4)	Amended	2/18/1992
(5)(a)(b)	Amended	2/18/1992
(6)	Amended	2/18/1992
21.04	Adopted	6/23/1970
(4)	Amended	12/17/1996
(6)(f)	Amended	2/18/1992
	Amended	9/21/2004
(7)	Amended	10/14/1980
	Amended	9/21/2004
(9)	Amended	10/14/1980
21.05	Ordinance adopted	12/20/1977
	Amended	2/09/1993
	Amended	8/17/1993
(a)	Amended	2/18/1992
	Amended	4/19/2011
	Amended	11/15/2016
(2)(a)	Ordinance adopted	1/20/1981
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(2)(b)	Amended	3/20/2001
	Amended	11/15/2016
(2)(c)	Amended	11/15/2016
(2) thru (8)	Rescinded and Recreated	7/01/1989
(3)	Amended	11/22/1994
	Amended	12/17/1996
	Amended	6/20/2000
	Amended	10/21/2003
	Amended	3/20/2001
	Amended	4/19/2011
	Amended	11/15/2016
(3)(d)	Amended	7/05/2011
(4)	Ordinance adopted	1/20/1981
	Ordinance adopted	1/15/1985
	Amended	6/20/2000
	Amended	3/20/2001
	Amended	10/21/2003
	Amended	8/16/2005
	Amended	6/17/2008
(4) (cont'd)	Amended	11/15/2016
(5)	Ordinance adopted	1/20/1981

(5)(e)(f)	Ordinance adopted	12/15/1981
(6)	Amended	9/23/2014
(6)(b)	Amended	4/21/2015
(7)	Amended	11/22/1994
	Amended	8/16/2005
	Amended	11/15/2016
21.06	Ordinance adopted	1/21/1992
	Amended	8/17/1993
	Amended	9/21/2004
21.08	Ordinance Created	4/28/1992
(c)(3)	Amended	10/21/2003